



FILE: PA 03-0026

DATE: May 15, 2003

TO: File/Record/Applicant

FROM: Larry M. Leaman, Director, Planning and Development Services Department

SUBJECT: Planning Application PA03-0026 – An administrative Site Development Permit per condition #7 of PA 01-0128 for the development of a 3,041 square foot drive-thru restaurant for a combined KFC and A&W restaurant on Pad “N” of the previously approved Urban Activity Center Retail shopping center, Mercantile East Shopping Center. The proposal includes the construction of a 3,041 square foot drive-thru restaurant, parking areas, a trash enclosure, lighting and landscape areas.

APPLICANT: Yum Brands, Inc.

Authorized Agent: RHL Design Group, Inc.; Jim Forgey

I. NATURE OF PROJECT:

This is an administrative Site Development Permit for the construction of a 3,041 square foot drive-thru restaurant on Pad “N” of the Urban Activity Center Retail shopping center, Mercantile East Shopping Center to operate as a combined KFC and A&W shared restaurant. Pad “N” is centrally located within the center adjacent to Antonio Parkway, southeast of the intersection of Antonio Parkway and a central ingress/egress driveway from Antonio Parkway. Condition of approval #7 of PA01-0128 requires the approval of a site development permit for each of the individual building pads within the retail center to ensure consistency and conformity to the master site plan. It is important to note that the Orange County Planning Commission originally approved the Master Site Development Permit under Planning Application PA 01-0031. Subsequently, Planning Application PA 01-0128 amended PA 01-0031 due to a revised building layout and a change in the mix of uses. The conditions of approval under PA 01-0031 and PA 01-0128 are applicable to this Site Development Permit, in addition to the conditions of approval applied to this permit within Appendix B.

The proposed building for Pad “N” is substantially consistent with the location, orientation, size and use approved by the master site plan (PA 01-0031 and PA 01-0128). The proposed restaurant does not include any outdoor seating as originally approved for Pad “N” in the master Site Development Permit. The building architecture is of the streamline moderne concept utilizing angled roof planes, plaster, tile and metal surfaces. The architectural styling is consistent with that which is utilized throughout the center. The building is located approximately 72 feet from the right-of-way line of Antonio Parkway. Accordingly, the building is approximately 36 feet from the curb line of the adjacent entry driveway from Antonio Parkway. The drive-thru lane window is covered by a trellis structure and is approximately 25 feet from the curb line of the adjacent entry driveway off of

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Antonio Parkway. From the interior parking area, the building is approximately 18 feet from the proposed curb line. The development standards for the Urban Activity Center require 20 feet minimum from an arterial highway and no minimum from other urban activity building sites. Therefore, the building location is in compliance with the required setback development standards. Building height is limited to 35 feet maximum, without Planning Commission approval for structures over 35 feet. The proposed building is approximately 29 feet high at the highest point of the building tower element. An architectural feature, which will also serve as a component for signage, projects approximately 10 feet beyond the face of the building and up to a maximum height of 26 feet 3 inches.

Landscape applicable to this site is limited to the immediate building pad and drive thru areas. Surrounding slopes and parking lot landscaping will be installed as a part of the overall center development. As a continuum of the center landscaping, the pad area will be landscaped with trees, shrubs and groundcover consistent with that proposed for the balance of the center. The trees around the perimeter of the pad consist of seven - 36 inch box sized trees (4 Glossy Privet trees, 2 Jacaranda trees, and 1 Carrotwood tree). Shrubs and groundcover will be used around the immediate perimeter of the building. All landscaping will be served by a permanent irrigation system. Additionally, a condition of approval requires the submittal of a final landscape plan, consistent with the preliminary plan included within this site development permit, for review and approval prior to issuance of a precise grading permit.

Off-street parking requirements for the subject 3,041 square foot drive-thru restaurant are provided for in the master site plan approval. The site has been accounted for as a restaurant use in the master-parking summary (PA01-0128). A total of 37 off-street parking spaces have been allocated to serve this restaurant use, including the previously allocated 600 square feet for outdoor seating. The proposed restaurant requires 31 off-street spaces. The required off-street parking is included within the 1,592 off-street spaces provided for the overall center. Therefore, this site development permit is consistent with the anticipated parking demand based upon the approved uses and overall mix of uses within the center.

In order to provide maximum vehicle stacking within the drive-thru lane, a condition of approval has been included that requires relocation of the proposed single menu-order board as shown on the proposed plans. The menu board shall be relocated from the south corner of the building at the drive-thru lane entrance to a location near the north corner of the building. The condition requires that the menu-order board be positioned so that up to three vehicles, including a vehicle at the order board, may be staged within the drive-thru lane without interfering with the adjacent access/parking drive aisle. Additionally, the project shall not include any audible speakers projecting toward Antonio Parkway and residential uses.

Signage for Pad "N" shall be consistent with the Mercantile East Retail Center comprehensive sign program. Certain sign locations are shown for illustration purposes within the proposed plans, but all signage and logos are under separate permit and shall be consistent with the comprehensive sign program for the center. A condition of approval is included that specifies this element regarding signs. It should be noted that the 3D wall sculptures are approved as a part of the site development permit as part of the architectural enhancements to the building's wall treatments on the south elevation.

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The proposal was distributed for review and comment to 7 County divisions for review and comment. Those comments have been addressed or the recommended conditions of approval are included within Appendix B.

The project is consistent with the Ladera Planned Community Development Standards and off-street parking is provided in compliance with the requirements of the zoning code and planning application PA01-0128. Therefore, the Site Development Permit is approved subject to the findings and conditions of approval attached to this report.

II. REFERENCE: (Authority for Administrative action is given by what ordinance, regulation, etc.)

Orange County Zoning Code section 7-9-150 "Discretionary Permits and Procedures"; Section V.C "Urban Activity Center" of the Ladera Planned Community Program Text; and Site Development Permits PA01-0031 and PA 01-0128.

III. ENVIRONMENTAL DOCUMENTATION:

The proposed project is covered by Final EIR No. 555, previously certified on October 17, 1995 and Addendum PA 010128. Prior to project approval, the decision-maker must assert that together they are adequate to satisfy the requirements of CEQA for the proposed project.

IV. CERTIFICATION:

I hereby certify that the subject proposal has been Conditionally Approved as noted below.

Larry M. Leaman, Director

Planning and Development Services Department

By: _____

Chad Brown, Chief
CPSD/Site Planning Section

APPEAL PROCEDURE

Any interested person may appeal the decision of the Director on this permit to the Orange County Planning Commission within 15 calendar days of the decision upon submittal of required documents and a filing fee of \$ 760.00 filed at the Development Processing Center, 300 N. Flower St., Santa Ana.

ATTACHMENTS:

Appendix A - Findings

Appendix B - Conditions of Approval